

PROCEEDINGS OF THE WAUKESHA COUNTY BOARD OF SUPERVISORS
Tuesday, May 23, 2006 – 9:00 a.m.

Chairman Dwyer called the meeting to order.

Roll Call: Behrend, Broesch, Bruce, Bullermann, Cummings, Dwyer, Hammitt, Haukohl, Hutton, Jaske, Jeskewitz, Kolb, Kramer, Marchese, Meyer, Mitchell, B. Morris, J. Morris, Nilson, Paulson, Ruf, Schellinger, Singert, Stevens, Stroud, Swan, Thelen, Tortomasi, P. Wolff and S. Wolff

The following Supervisors notified the Chairman they would be late: Herro, Kallin, Rolfs and Harenda

Supervisor Gundrum was absent.

There were the following public comments:

Toni Hexom, UW Extension
Attorney Eric Love, 161-O-008.

Supervisor Kallin arrived.

The County Clerk announced all Supervisors received notice of four claims filed.

Supervisor Marchese moved to approve the minutes of the April 11, 2006 Board Meeting.
Supervisor Nilson seconded the motion and it carried by a voice vote unanimously.

Supervisor S. Wolff moved to approve the minutes of the April 18, 2006 Board Meeting.
Supervisor Tortomasi seconded the motion and it carried by a voice vote unanimously.

Supervisor Gundrum arrived.

There was a presentation by Mike Duckett, Executive Director of Southeastern Wisconsin Professional Baseball Park District, on the status of Miller Park – its prospects and finances.

Supervisors Harenda, Herro and Rolfs arrived.

Ordinance 161-O-001 was presented for action. (Amend The District Zoning Map Of The Waukesha County Shoreland And Floodland Protection Ordinance And The Waukesha County Zoning Code, For The Town Of Vernon By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 34 And The E ½ Of Section 33, T5N, R19E, Town Of Vernon, Waukesha County, Wisconsin, From The Ad-10 Agricultural Density-10, A-E Exclusive Agricultural Conservancy And C-1 Conservancy Districts To The A-3 Suburban Estate And The C-1 Conservancy Districts (SCZ-1607))

Supervisor P. Wolff left the room.

Supervisor Kramer left the room.

Supervisor Mitchell moved to adopt Ordinance 161-O-001. Supervisor Jaske seconded the motion.

Supervisor Kramer returned.

The Board was polled and thirty-four (34) votes were cast. Supervisor Nilson voted “no”. The rest, thirty-three (33) voted “aye”. The ordinance was adopted.

Ordinance 161-O-002 was presented for action. (Amend The Text Of The Town Of Merton Zoning Code To Repeal And Recreate Section 17.60 And To Amend Section 17.64 To Revise The Provisions Of The Board Of Adjustment To Consist Of Five Members And Two Alternates And To Provide For Changes In Voting To Rule On Issues Of The General Code Of Ordinances Of The Town Of Merton That Relate To Zoning (ZT-1609))

Supervisor Mitchell moved to adopt Ordinance 161-O-002. Supervisor Stroud seconded the motion. The Board was polled and thirty-four (34) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 161-O-003 was presented for action. (Amend The Text Of The Town Of Mukwonago Zoning Code To Repeal And Recreate Section 3.18 Regarding Legal Non-Conforming Uses, Structures And Lots And Section 3.15 Regarding Signs (ZT-1612))

Supervisor Mitchell moved to adopt Ordinance 161-O-003. Supervisor Jaske seconded the motion.

Supervisor P. Wolff returned.

The Board was polled and thirty-five (35) votes were cast. Supervisors Kallin and Rolfs, two (2) in all voted “no”. The rest, thirty-three (33) voted “aye”. The ordinance was adopted.

Ordinance 161-O-004 was presented for action. (Amend The Zoning District Map Of The Town Of Delafield Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of The SE ¼ Of Section 27, T7N, R18E, In The Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The A-2 Rural Home District (ZT-1610))

Supervisor Mitchell moved to adopt Ordinance 161-O-004. Supervisor Stroud seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisor Nilson voted “no”. The rest, thirty-four (34) voted “aye”. The ordinance was adopted.

Ordinance 161-O-005 was presented for action. (Waive Renegotiation Of Existing Agreements Affecting The Onyx Emerald Park Landfill And The Onyx Emerald Park Landfill Western Horizontal Expansion)

Supervisor Mitchell moved to adopt Ordinance 161-O-005. Supervisor Jaske seconded the motion. The Board was polled and thirty-five (35) votes were cast, all “aye”. The ordinance was adopted.

Resolution 161-R-001 was presented for action. (Amend The Regional Water Quality Management Plan For The Village Of Sussex And Environs, Waukesha County, Wisconsin)

Supervisor Mitchell moved to adopt Resolution 161-R-001. Supervisor Jeskewitz seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisor Rolfs voted “no”. The rest, thirty-four (34) voted “aye”. The resolution was adopted.

Resolution 161-R-002 was presented for action. (Amend The Regional Water Quality Management Plan For The Village Of Mukwonago, Waukesha County, Wisconsin)

Supervisor Mitchell moved to adopt Resolution 161-R-002. Supervisor S.Wolff seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisors Cummings, Haukohl, Kallin, Meyer, Rolfs, Jaske and Nilson, seven (7) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The resolution was adopted.

Ordinance 161-O-006 was presented for action. (Authorize The Waukesha County U.W. Extension Office To Enter Into A Subcontractor Agreement With The Board Of Regents Of The University Of Wisconsin System To Coordinate In A Three-County Area And Teach Gardening Life Skills To Jail Inmates, And To Appropriate Additional Federal Funding Pass Through The State To The County’s 2006 Budget)

Supervisor Haukohl moved to adopt Ordinance 161-O-006. Supervisor Bruce seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisors Schellinger, Harenda, J. Morris, Kallin, Stevens, Kolb, Kramer, Hutton, Gundrum and Singert, ten (10) in all voted “no”. The rest, twenty-five (25) voted “aye”. The ordinance was adopted.

Ordinance 161-O-007 was presented for action. (Authorize The Waukesha County U.W. Extension Office To Enter Into A Subcontractor Agreement With The Board Of Regents Of The University Of Wisconsin System To Educate Green (Commercial Horticulture) Industry Professionals In Human Resource And Personnel Skills And To Appropriate Additional Federal Funding Pass Through The State To The County’s 2006 Budget)

Supervisor Haukohl moved to adopt Ordinance 161-O-007. Supervisor B. Morris seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisors Cummings, Schellinger, Harenda, J. Morris, Kallin, Kolb, Kramer, Hutton, Gundrum and Singert, ten (10) in all voted “no”. The rest, twenty-five (25) voted “aye”. The ordinance was adopted.

Ordinance 161-O-008 was presented for action. (Amend Waukesha County Code Of Ordinances To Establish Courthouse And Administration Center Facility Screening)

Supervisor Haukohl moved to adopt Ordinance 161-O-008. Supervisor Bullermann seconded the motion.

Supervisor Haukohl moved to amend the ordinance by adding the following language at the end of Line 31 “and shall sunset 12/31/07 unless reauthorized by the Waukesha County Board”

Supervisor Jeskewitz seconded the motion.

Supervisor Hutton left the room.

The Board was polled on the amendment and thirty-four (34) votes were cast. Supervisors Marchese, Kolb, Stevens, Kramer, Gundrum and Singert, six (6) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The amendment was adopted.

Supervisor Singert moved to amend the ordinance by inserting the following language on Line 13: “Whereas, in conjunction with the Chief Judge and Sheriff, the County Executive has responsibility for making changes to the Secured Access Plan.”

Supervisor Herro seconded the motion.

Supervisor Herro moved to amend the amendment by inserting “Waukesha County Board” after County Executive.

Supervisor Marchese seconded the motion.

Supervisor Paulson moved to call for the question. Supervisor Bruce seconded the motion. The Board was polled and thirty-five (35) votes were cast. Supervisors Marchese, Haukohl, J. Morris, Mitchell, Kolb, Cummings, Thelen, B. Morris, Jaske, Nilson and Singert, eleven (11) in all voted “no”. The rest, twenty-four (24) voted “aye”. The motion carried.

The Board was polled on the amendment to the amendment and thirty-five (35) votes were cast. Supervisors Swan, Singert, Paulson, Bullermann, Meyer, Dwyer, Wolff, Bruce, Ruf, Gundrum, ten (10) in all voted “no”. The rest, twenty-five (25) voted “aye”. The amendment was adopted.

Supervisor J. Morris left the room.

The Board was polled on Supervisor Singert’s amendment as amended and thirty-four (34) votes were cast. Supervisors Swan, Tortomasi, Paulson, Bullermann, Meyer, Dwyer, Wolff, Bruce, Ruf, Gundrum, ten (10) in all voted “no”. The rest, twenty-four (24) voted “aye”. The amendment was adopted as amended.

Supervisor J. Morris returned.

Supervisor Herro moved to amend the ordinance by inserting the following language on Line 22: Waukesha County employees shall have access to Door #2, #35 and Door #3.

Supervisor Harenda seconded the motion.

The Board was polled on the amendment and thirty-five (35) votes were cast. Supervisors Swan, Mitchell, Tortomasi, Bullermann, Hutton, Dwyer, S. Wolff, B. Morris, P. Wolff, Bruce and Singert, eleven (11) in all voted “no”. The rest, twenty-four (24) voted “aye”. The ordinance was adopted.

The Board was polled on Ordinance 161-O-008 as three times amended and thirty-five (35) votes were cast. Supervisors Thelen, Hutton and Gundrum, three (3) in all voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted as three times amended.

Ordinance 161-O-009 was presented for action. (Amend Sheriff's Department 2006 Budget Expenditure Of Office Of National Drug Control Policy Cooperative Agreement Funds)

Supervisor B. Morris moved to adopt Ordinance 161-O-009. Supervisor Swan seconded the motion. The Board was polled and thirty-five (35) votes were cast, all "aye". The ordinance was adopted.

Supervisor Haukohl moved to confirm the appointments of Jim Behrend to the Health & Human Services Board; Duane Paulson to the Health & Human Services Board; JoAnn Weidmann to the Health & Human Services Board; Mike O'Brien to the Health & Human Services Board; Peter Parthum to the Health & Human Services Board; Vera Stroud to the Commission on Aging; Sandra Wolff to the Commission on Aging and Jim Jeskewitz to the Health & Human Services Board.

Supervisor Herro seconded the motion.

The Board was polled on the appointments and thirty-five (35) votes were cast, all "aye". The appointments were confirmed.

Chairman Dwyer declared a recess until 2:00 p.m.

Tuesday, May 23, 2006 – 2:00 p.m.

Supervisor Schellinger notified the Clerk he would be absent.

The following Supervisors were absent: Nilson, Gundrum, J. Morris, Harenda, Marchese, Bullermann, Kallin, P. Wolff and S. Wolff

There was a presentation by Craig Rapp of Springsted & Associates and Allison Bussler of the County Executive's Office on Strategic Planning.

Supervisor P. Wolff returned.

Supervisor S. Wolff returned.

Ordinance 161-O-010 was presented for action. (Reauthorize The Use Of The Secure And Non-Secure Detention Facilities For Short Term Detention)

Supervisor Behrend moved to adopt Ordinance 161-O-010. Supervisor Jeskewitz seconded the motion.

Supervisor Behrend moved to amend the Second ORDAINED paragraph as follows:

Delete "December 2007" and Insert "June 30, 2008"

Supervisor Swan seconded the motion.

The Board was polled on the amendment and twenty-seven (27) votes were cast, all "aye". The amendment was adopted.

The Board was polled on Ordinance 161-O-010 as amended and twenty-seven (27) votes were cast, all “aye”. The ordinance was adopted as amended.

Ordinance 161-O-011 was presented for action. (Establish Salaries For Elected Officials)

Supervisor Paulson moved to adopt Ordinance 161-O-011. Supervisor Jaske seconded the motion.

Supervisor Paulson moved to amend the ordinance with a complete replacement, which reads as follows:

ESTABLISH SALARIES FOR ELECTED OFFICIALS

WHEREAS the Waukesha County Code of Ordinances states that the Clerk of Courts, County Clerk, County Executive, Register of Deeds, Sheriff, and Treasurer shall receive salaries as determined by the County Board, and

WHEREAS Enrolled Ordinance 151-105, adopted on February 25, 1997, indicated that prospective salaries for elected officials should be established on a rational basis by approximating increases received by county employees in prior years for comparable periods, and

WHEREAS the Clerk of Court’s term has been changed to four years through a modification to the Wisconsin Constitution, and

WHEREAS non-represented employees received 2.8%, 1.75%, 3% and 3% increases in the years 2003 – 2006, and

WHEREAS the salary for the County Executive would be adjusted by 0% in April 2007, 2% in April 2008, 0% in April 2009 and 2% in April 2010.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the annual salaries of the County Clerk, Register of Deeds, and Treasurer shall be:

1. Effective the first pay period commencing in 2007, as follows: County Clerk - \$65,161; Register of Deeds - \$66,039; and Treasurer - \$65,161.
2. Effective the first pay period commencing in 2008 as follows: County Clerk - \$67,116; Register of Deeds - \$68,020; and Treasurer - \$67,116.

BE IT FURTHER ORDAINED that the annual salary for the County Executive shall be as follows:

1. Effective the first pay period following the 3rd Tuesday in April 2007, the salary for the County Executive shall be \$93,311.
2. Effective the first pay period following the 3rd Tuesday in April 2008, the salary for the County Executive shall be \$95,177.

3. Effective the first pay period following the 3rd Tuesday in April 2009, the salary for the County Executive shall be \$95,177.
4. Effective the first pay period following the 3rd Tuesday in April 2010, the salary for the County Executive shall be \$97, 081.

BE IT FURTHER ORDAINED that the annual salary for the Sheriff shall be as follows:

1. Effective the first pay period commencing in 2007, the salary for the Sheriff shall be \$89,730.
2. Effective the first pay period commencing in 2008, the salary for the Sheriff shall be \$91,300.
3. Effective the first pay period commencing in 2009, the salary for the Sheriff shall be \$94,039.
4. Effective the first pay period commencing in 2010, the salary for the Sheriff shall be \$96,860.

BE IT FURTHER ORDAINED that the annual salary for the Clerk of Courts shall be as follows:

1. Effective the first pay period commencing in 2007, the salary for the Clerk of Courts shall be \$67,840
2. Effective the first pay period commencing in 2008, the salary for the Clerk of Courts shall be \$69,027
3. Effective the first pay period commencing in 2009, the salary for the Clerk of Courts shall be \$71,098

Effective the first pay period commencing in 2010, the salary for the Clerk of Courts shall be \$73,231

Seconded by Supervisor Ruf.

The Board was polled on the amendment and twenty-seven (27) votes were cast. Supervisors Herro, Rolfs, Cummings, Thelen, Hutton, Jaske and Singert, seven (7) in all voted “no”. The rest, twenty (20) voted “aye”. The amendment was adopted.

The Board was polled on Ordinance 161-O-011 as amended and twenty-seven (2) votes were cast. Supervisors Herro, Rolfs, Tortomasi, Cummings, Thelen, Hutton, Jaske and Singert, eight (8) in all voted “no”. The rest, nineteen (19) voted “aye”. The ordinance was adopted as amended.

Supervisor Kramer moved to adjourn to Tuesday, June 13, 2006 at 7:00 p.m. or at the call of the County Board Chair. Supervisor Cummings seconded the motion and it carried by a voice vote unanimously.

The Board adjourned at 3:08 p.m.

Respectfully submitted,

Kathy Nickolaus
Waukesha County Clerk